

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JOEL JEANNITE,	)	
	)	
Plaintiff	)	
	)	
v.	)	Civil Action No. 22-11060-PBS
	)	
WRIGHT, Officer	)	
Badge 604, et al.,	)	
Defendants	)	

**ORDER**

October 7, 2022

SARIS, D.J.

On July 1, 2022, pro se plaintiff Joel Jeannite filed a complaint and paid the \$402 filing fee. [ECF Nos. 1, 2]. At that time, the Clerk issued summonses. [ECF No. 4].

On August 10, 2022, returns of service were filed by a deputy sheriff hired by plaintiff for service of process. [ECF Nos. 6 - 9]. More than 21 days have elapsed since service was effected in this matter and no appearance has been entered by any of the defendants. The Federal Rules of Civil Procedure require an answer or other responsive pleading to be filed within 21 days after service of process.

Rule 55(a) provides that an entry of default may be entered "[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure

is shown by affidavit or otherwise.” Fed. R. Civ. P. 55(a). Prior to the clerk entering a party’s default under Rule 55(a), an application must be made to the court for a default judgment under Rule 55(b)(2).

Accordingly, plaintiff shall, by October 31, 2022, file an application for entry of default under Federal Rule of Civil Procedure 55(a) or advise the Court in writing of any good cause why these instructions should not be carried out. Failure to timely comply with these instructions may result in dismissal.

SO ORDERED.

/s/ Patti B. Saris  
PATTI B. SARIS  
UNITED STATES DISTRICT JUDGE